REMARKS

This responds to the Office Action dated January 31, 2007.

No claims are amended or cancelled. Claims 1-8, 36-46, and 52-55 remain pending in this application.

§102 Rejection of the Claims

Claims 1, 2, 7, 39, 43, 44, 45 and 46 were rejected under 35 U.S.C. § 102(e) as being anticipated by Breyen et al. (U.S. Patent No. 6,795,729).

Claims 1, 2, and 7

Applicant traverses the rejection of claim 1 since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: forcing the connection member and the foil together between a hardened surface and a staking pin which has a tip of less than or equal to approximately 0.030" (0.762 mm) in diameter, as recited in claim 1. The Examiner refers to Col. 14, line 60 of the reference for this subject matter. Line 60 states: "a diameter of about 0.060 inches (0.174 mm)."

However, Applicant traverses the Examiner's characterization of the reference. The reference to 0.174 mm is clearly a typographical error or a mathematical conversion error since 0.060 inches is equal to 1.524 mm, which is a factor of ten greater than the erroneous 0.174 mm. In view of the entire context surrounding the discussion in column 14 describing the 0.060 inch weld pin, Applicant believes this conversion error or typographical error cannot be used as an enabling disclosure under MPEP 2121, and that claim 1 is therefore not anticipated by the cited reference.

In the Final Office Action, the Examiner states that "there is no reason to believe that any one can type 1.524 mm as 0.174 mm." (Page 9 of Office Action). The Examiner also states that "[e]ven if there is a typographical error, the more realistic error should be a missing "0" in 0.06 during typing. Therefore "0.06" should be "0.006"."

Applicant believes this explanation is not reasonable. First, if converting from inches to millimeters, 0.006 inches would be 0.1524 mm, which is not disclosed in the reference. Conversely, if converting from millimeters to inches, 0.174 mm would be 0.00685 inches, which

if rounded to three decimal places, would be 0.007, which is also not disclosed. Accordingly, it is clear that the author of the Breyen reference made a typographical or mathematical conversion error and there is no reason to believe they meant anything other than the 0.060 inches they disclose. For example, Applicant notes that US Patent 6,009,348, from the same assignee, includes a similar paragraph and states: "[i]n a preferred embodiment of the present invention, cold weld pins 206a, 206b, 211a and 211b have a diameter of about 0.060" and further have a beveled or radiused end." (Col. 25, lines 22-26). This shows that 0.060 inches is the correct, original number and that the 0.174 mm of patent 6,795,729 is a conversion error, or a typographical error.

Claims 2 and 7 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 39, 43, 44, 45 and 46

Applicant traverses the rejection of claim 39 since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: forcing the two or more foils together between a hardened surface and a staking pin which has a tip of less than approximately 0.060" (1.524 mm) in diameter, as recited in claim 39. As noted above, Applicant traverses the Examiner's characterization of the cited reference. The reference to 0.174 mm in the reference is clearly a typographical or mathematical conversion error since 0.060 inches is equal to 1.524 mm, which is a factor of ten greater than the mistaken 0.174 mm. In view of the entire context surrounding the discussion in column 14 describing the 0.060 inch weld pin, Applicant believes this typographical error cannot be used as an enabling disclosure under MPEP 2121, and that claim 39 is therefore not anticipated by the cited reference.

Claims 43, 44, 45 and 46 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

§103 Rejection of the Claims

Claims 36-38 and 52-55 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Breyen et al. (U.S. Patent No. 6,795,729) in view of Greenwood, Jr. et al. (U.S. Patent No. 5,949,638).

Claims 36-38

Applicant traverses the obviousness rejection of claim 36. Applicant believes claim 36 is not obvious since, even if combined, the combination does not include each limitation recited in the claim. For instance Applicant cannot find in the cited combination: "edge-connecting each anode connection member to the anode connection member or connection members adjacent to each anode connection member directly along an exposed end face of each of the connection members," as recited in claim 36.

The Examiner refers to Col. 20, lines 15-67 of Breyen for such subject matter. On page 10 of the present Office Action, the Examiner states that "Breyen clearly teaches at figs. 9-10 and col. 20, lines 55-65: In one method, it is preferred that the crimped anode and cathode feedthrough be laser or ultrasonically welded along a top portion of the trimmed edge of the distal ends to anode and cathode tabs 232 and 233." However, Applicant points out that this subject matter does not read on the claim. Breyen discusses crimping the anode tabs, (line 38), and then laser or ultrasonically welding an anode feedthrough to the trimmed edges of the distal ends of the tabs. (Lines 55-60). Breyen does not discuss edge-connecting the anode connection members to each other directly along an exposed end face of each of the connection members, as claimed. The Greenwood reference also does not discuss such subject matter.

Claims 37-38 include each limitation of their parent claim and are therefore also not obvious in view of the cited references. Moreover, regarding claim 37, the Office Action refers to col. 12, lines 39-40 of Breyen as disclosing laser welding along a seam between each of the anode connection members. However that portion of the Breyen disclosure merely discusses laser cutting of anode layers. Reconsideration and allowance is respectfully requested.

Claims 52-55

Applicant traverses the obviousness rejection of claim 52. Applicant believes claim 52 is not obvious since, even if combined, the combination does not include each limitation recited in

the claim. For instance Applicant cannot find in the cited reference: "edge-connecting each anode connection member to the anode connection member or connection members adjacent to each anode connection member directly along an exposed end face of each of the L-shaped connection members," as recited in claim 52.

As discussed, the Examiner refers to Col. 20, lines 15-67 of Breyen for such subject matter. However, Breyen discusses crimping (line 38) the anode tabs, and then laser or ultrasonically welding an anode feedthrough to a top portion of the tabs (lines 55-60). Breyen does not discuss edge-connecting the anode connection members, as claimed. The Greenwood reference also does not discuss such subject matter.

Claims 53-55 include each limitation of their parent claim and are therefore also not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

Claims 3, 6, 40, 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Breyen et al. (U.S. Patent No. 6,795,729) as applied to claims 1, 2, 7, 39, 43, 44, 45 and 46 above, and further in view of Shafer et al. (U.S. Patent No. 4,045,644).

Claims 3, 6, 40, 41, 42 include each limitation of their respective parent claims and are not obvious in view of the cited references, since the secondary reference does not overcome the deficiencies of the primary reference, as discussed above. Reconsideration and allowance is respectfully requested.

Claims 4-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Breyen et al. (U.S. Patent No. 6,795,729) as applied to claims 1, 2, 7, 39, 43, 44, 45 and 46 above, and further in view of Carrico (U.S. Patent No. 5,041,942).

Claims 4-5 include each limitation of their parent claim and are not obvious in view of the cited references, since the secondary reference does not overcome the deficiencies of the primary reference, as discussed above. Reconsideration and allowance is respectfully requested.

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Breyen et al. (U.S. Patent No. 6,795,729) as applied to claims 1, 2, 7, 39, 43, 44, 45 and 46 above, and further

in view of col. 3, lines 10-15 of Breyen et al. (U.S. Patent No. 6,795,729) or Greenwood, Jr. et al. (U.S. Patent No. 5,949,638). Claim 8 includes each limitation of its parent claim and is not obvious in view of the cited references, since the secondary references do not overcome the deficiencies of the primary reference, as discussed above. Reconsideration and allowance is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of April 2007.

Name

Signature